



WORK AND FAMILY: THE REPUBLIC OF TAJIKISTAN



International
Labour
Organization

LABOUR MARKET SITUATION: HISTORICAL AND REGIONAL ASPECTS OF EMPLOYMENT IN TAJIKISTAN

Transition from a planned to a market economy, the disintegration of the Soviet Union, decline of living conditions and the sharp decline in public sector wages and severe civil and political unrest in the country led to the collapse of giant industrial and agricultural enterprises that employed the majority of labour force in Tajikistan.

In the early nineties, the majority of highly qualified and well-educated labour force employed mainly in the health, education and industrial sectors left Tajikistan. As an aftermath of civil war, the mainly older male population (fathers, heads of households) living in rural areas devastated by the civil war also left Tajikistan in search for better employment. The current situation in the country still forces younger generations of men to leave Tajikistan for job opportunities.

Traditionally, Tajikistan was a country with surplus labour force. Economically active population during the period of 2000–2005 increased by 14%, and in 2005, economically active population constituted 2.05 million people.¹ Women constituted only 19% of the total economically-active population. This means that household income is provided mostly by men. As a result, women find themselves in economic dependence, which results in their increased vulnerability today and tomorrow.²

In 2002–2004, enterprises and organisations of the public sector provided jobs for less than 30% of employed women and around 40% of employed men. Considering that employment in this economy sector is traditionally better protected, women find themselves in a less favourable situation than men.³ About 55.9% of employed population were employed by the agricultural sector, private farms and personal subsidiary plots. Women constituted 55.7% of total employed in this sector. Two other sectors predominantly employing women are education

Features of labour market in Tajikistan today:

- *Decrease of employment in state sector;*
- *Growth of employment in the private sector of economy. However, growth is due to growth of employment in the private agricultural sector;*
- *Deepening gap between demand and supply of labour force;*
- *Increased unemployment;*
- *Low social protection of workers*

Source: Tajikistan School to Work Transition Survey, Strategic Research Centre under the President of Tajikistan with support of ILO.

(52%) and health care (64%). These three women-dominated sectors are the lowest paid ones.⁴

National statistics do not provide any estimation on prevalence of the informal economy in Tajikistan. Thus, it is very difficult to assess the scale of women's participation in the informal economy. Nevertheless,



Photo: ILO

¹ The Government of the Republic of Tajikistan, Concept Paper on State Policy on Promotion of Employment of Population of Tajikistan, Resolution No. 183 adopted on 3 May 2006.

² UNIFEM, Gender Equality in the Sphere of Employment, Tajikistan, Dushanbe, 2007.

³ Ibid.

⁴ The State Statistics Committee of the Republic of Tajikistan, Women and Men in the Republic of Tajikistan, UNIFEM, Dushanbe, 2007.

experts talk of the substantial role of informal employment in the lives of Tajik women, which results in lack of secure employment and poor social protection; prevalence of hard forms of labour; low salary levels; absence of pensions and lack of opportunities for development and investment in human capital. Increased participation of women in the informal economy is explained by many factors: the low income level provided to their families by men; the reduced educational level of women; high levels of competition in the labour market; loss of bread-winners during the civil war or as a result of labour migration to other countries.⁵

Data on unemployment rate varies depending on its source. Thus, the State Statistics Agency of the Republic of Tajikistan provides that unemployment rate increased from 2.0% to 2.3 % of economically

active population in the period of 2004 to 2006. According to Labour Force Survey (LFS) – 2004, unemployment rate was 12 %. This figure is six times higher than unemployment registered in state employment services.

Unemployment and poverty forced many people to leave the country for employment opportunities. Most of migrants are men who work as unskilled low-paid workers in constructions and service sectors. Some women migrate with men as part of the family, but their number is insignificant. Those women who remain in the country are confronted with various difficulties including becoming the bread-winner for their families and are sometimes deceived by their husbands who never return and settle into new lives with a new family in their country of destination.

TAJIK LABOUR MIGRATION AND WORK-FAMILY BALANCE

As mentioned, labour migration from Tajikistan has predominantly a "male" face: only 6% of migrants are women. However, migration has a direct impact on both the income level of Tajik families and women's employment. 25% of all household incomes are formed by remittances sent by labour migrants. The level of official remittances in 2007 constituted 36% of Tajikistan's GDP or USD 1.8 billion.⁶ It often happens that men send remittances not to their wives but to their parents or elder relatives; as a result, a woman with several children gets only a small share of the money earned by her husband. Women's capacity to earn higher incomes is limited due to the existing gender inequality in access to land and financial resources, low salaries in traditionally "female" labour, problems with finding jobs in the formal economy sector, and low level of education among women.

Access to education is hampered by traditional perceptions of the role of women in a society where they are seen mainly as future wives and mothers. Though, at the level of primary school gender gap is small, at the later stages of education especially in



the senior grades of secondary schools and tertiary education it is significant. All this, along with the challenging situation in the labour market, results in women's self employment in retail businesses to secure their livelihood, as well as, in providing domestic services, production and sale of agricultural, homemade and sewing products, etc. Thus, women are entering into informal economy employment with its limited access to social protection schemes and good salaries.

TAJIK LEGISLATION ON PROTECTION OF WORKERS WITH FAMILY RESPONSIBILITIES

Tajikistan is a party to all core UN human rights treaties, including Convention on Elimination of All

Forms of Discrimination against Women (CEDAW) that establishes obligations to ensure equality and non-

⁵ UNIFEM, Gender Equality in the Sphere of Employment, Tajikistan, Dushanbe, 2007

⁶ Ibid

discrimination. Tajikistan ratified all fundamental ILO Conventions including ILO Convention No. 100 on Equal remuneration and ILO Convention No. 111 on Discrimination in Employment and Occupation. In addition, Tajikistan ratified ILO Convention No. 103 on Maternity Protection.

General Principle of Equality

The fundamental principle of equality is enshrined in Article 17 of the Constitution, which guarantees equality of all before the law and the courts, which is guaranteed by the State for all without distinction on the basis of nationality, race, sex, language, religion,



Photo: ILO

political convictions, and education, social or material status. The article also establishes that men and women hold equal rights.⁷ In pursuance of this equality principle, Tajikistan is among the first CIS countries that adopted, on 1 March 2005, the Law on State Guarantees of Equal Rights of Women and Men and Equal Opportunities to Exercise their Rights.

Workers with Family Responsibilities

Article 7 of the Law on State Guarantees of Equal Rights of Women and Men and Equal Opportunities to Exercise their Rights particularly mentions family responsibilities of workers of both sexes in performance of their duties. To this end, it is provided that during recruitment, career promotion, vocational education and establishment of working schedules, dismissal of workers including civil servants, legal guarantees and rights of workers of both sexes with family responsibilities have to be taken into account. It is the responsibility of employers to establish a system of refreshment courses for workers of both sexes, particularly those who took leave related to birth and upbringing of children.

Article 159 of the Labour Code prohibits the refusal to employ pregnant women and women with children or to decrease their salaries on the grounds of their pregnancy and responsibilities related to their children. An employer should provide a written justification for his/her refusal to employ pregnant women, women with children up to the age of 3, single women with a child up to the age of 14 (or with a disabled child up to the age of 16).

In addition, the Labour Code sets specific standards and requirements for the employment of women with family responsibilities exclusively. Men are not yet perceived by the Labour Code as workers with family responsibilities. As such, the following areas are comprehensively regulated to ensure certain benefits of the right to work for women with family responsibilities: 1) restrictions on engaging women in night time work (Article 161); 2) restrictions on engaging women in overtime work, work on days off, and when travelling; 3) transfer of pregnant women and women with children to lighter works (Article 163); 4) maternity leave (Article 164).

Maternity Leave

In Article 164, the Labour Code provides that women shall be granted a maternity leave of 70 calendar days before delivery and 70 calendar days after delivery. In the case of difficult delivery, the duration can be extended up to 86 days and in giving birth to two or more children, it can be extended up to 110 calendar days. Women can use their maternity leave at their discretion, i.e. either before or after actual delivery. In addition to maternity leave, women are entitled to receive maternity benefit that is equivalent to 100% of the average worker's wage (wage of recipient of benefit) for the whole period of maternity leave regardless of division of leave to pre and post-natal periods⁸ (Article 13).

Child Care Leave

In article 165, the Tajik Labour Code foresees several modalities of child care leave. Upon termination of maternity leave, women are free to choose child care leave until the child reaches the age of 1.5 years old, the payment is covered by the State social insurance or, alternatively, women may have additional child care leave until their children reach the age of 3 years. In this case, payment of salary or benefit is not provided.⁹ The terms of the legal provision are

⁷ The Constitution of the Republic of Tajikistan, Article 17.

⁸ The Law of the Republic of Tajikistan on State Social Security, Article 13.

⁹ Family benefit is paid in the event of a baby's birth in the family. It shall be paid as follows: 1. Single allowance related to birth; and 2. Monthly allowance in relation to child care. In the event of the birth of the first child, the single allowance shall be equal to three minimum monthly wages. For the second child the single allowance shall be equal to two minimum monthly wages and for the third and onwards it shall be equal to one minimum monthly wage. Monthly child care allowance shall be equal to 100% of the minimum monthly wage and shall be paid to a mother who was granted a child care leave equal to 1.5 years of age of a child (Article 14 of the Law on State Social Security).

applicable to fathers, grandparents and other relatives who de facto take care of the child. The job is preserved for the duration of the child care leave. In addition, the leave shall be included into the working records/experience. The Labour Code envisages similar terms of maternity leave and child care leave for persons who have adopted a child or are exercising custody over a child or children (Article 166).

Article 172 regulates the prohibition of termination of contracts of pregnant women and women with children. The legal provision prescribes that employers cannot initiate the termination of a contract of pregnant women, women with children

up to the age of 3 years and single mothers with disabled children up to the age of 16. The only case that would exempt an employer from observance of this provision is the liquidation of an enterprise; however even then, an employer must ensure subsequent employment. Furthermore, according to Article 173 of the Code, all guarantees and benefits afforded to women with regards to their maternity (night time work and overtime, etc.) are applicable to fathers engaged in the upbringing of their children in the absence of the children's mother (in cases of death, deprivation of rights, prolonged presence in medical institutions and other situations of lack of maternal care).

CHILDCARE FACILITIES

Following independence and damages caused by the civil war in Tajikistan, the number of pre-school educational institutions (PSEI) decreased significantly. During 1991–2005, the number of PSEI decreased by 1.6 times and in rural areas it decreased by three times. From 1991 to 2005, the total number of PSEI decreased – from 944 in 1991 to 468 in 2005. Nevertheless, demand for pre-school education (PSE) is increasing. During 1999 to 2004, 31 PSEI were closed, but the number of children attending PSEI increased by approximately 10 thousand children. Taking into account high birth rates and population growth of Tajikistan, one can predict that demand for PSE will remain high.

Coverage of children by PSE is insignificant (4.7%). About 95% of children, particularly those residing in rural areas, do not possess pre-school training and skills prior to school enrolment.¹⁰ Results of MISC–2005 showed that gender difference with regard to attendance of PSE is insignificant while attendance of PSE highly depends upon the social-economic status of the families. Thus, 29% of children in the richest households attended PSE while the figure drops to 1% in the poorest households.¹¹

Infrastructure of PSEI has deteriorated in view of limited financial resources available both at national and local levels. Only 50% of PSEI are located in buildings specifically built for the purpose of placement of PSEI. The majority of PSEI have not



been renovated for several years. PSEI also experienced shortages of furniture, toys, sport facilities, etc. Nutrition and health care facilities are also in poor conditions.

Quality of teaching personnel in the PSE institutions is poor. Among 4,475 specialists employed for PSE only 24.7% of teaching personnel possess University degrees.

The system of monitoring the quality of PSE is underdeveloped mainly in view of low qualification levels of personnel of the local education department. Only 10% of monitors of the PSE sector possess a special degree in PSE. In addition, correctional PSEI experience a shortage of speech therapist, oculists, teachers for deaf and blind children, and textbooks, particularly in state language.

¹⁰ The Government of the Republic of Tajikistan, National Programme on Development of Pre-school Education in Tajikistan for 2006–2010.

¹¹ The State Statistics Agency of the Republic of Tajikistan, Monitoring of Situation of Women and Children: Multi Cluster Indicators Survey, 2005, UNICEF, p. 64